



Review and Update of the World Bank's Environmental and Social Safeguard Policies

SUMMARY OF INPUT SUBMITTED BY STAKEHOLDERS THROUGH AN ONLINE QUESTIONNAIRE AND VIA E-MAIL

[Language: English]

This is a summary of the input that stakeholders and stakeholders' groups have submitted to the Safeguards Review Team through an online questionnaire during the period October 2012-April 2013. The questionnaire has been available [online](#) throughout the consultation period of Phase 1 of the Review.

Q1: Which aspects of the eight current environmental and social safeguards policies can the Bank improve to ensure that these policies most effectively help achieve sustainable development and results on the ground?

Overall on policies: efficiency and usability

- The current safeguard system lacks an effective and efficient process to handle the large potential for needed safeguards as demonstrated by the already identified emerging issues list. The time necessary to create a safeguard is far too long to be useful in identified areas of concern, because too many irreversible or virtually irreversible events would have occurred under Bank funded programs and projects before a safeguard is determined necessary and becomes finalized. Consequently, the current process leads to an unintended significant cumulative effect for emerging issues.
- The wording and format of the current safeguard policies are difficult to understand for a non-technical audience.
- The Bank should focus its initial attention on the Policy on Piloting the Use of Borrower Systems for Environmental and Social Safeguards ("Use of Country Systems," OP 4.00) and Environmental Assessment, OP 4.01. Under these two safeguards, the Bank should be able to minimize the overwhelming information overload. The overall safeguard processes both for the World Bank and the IFC are excessively complicated.

The Use of Country Systems, OP 4.00, should be converted to a review of the country-wide system of human environment and human condition laws, regulations, and implementation processes. In other words, the OP 4.00 needs to be a straight forward "Strategic Environmental and Social Assessment (SESA)" for the client country in question.

The Environmental Assessment, OP 4.01, then needs to follow as the "tiering" process for evaluating the implementing programs and projects done under the SESA and corresponding Bank/Country policy decision completed as part of the new OP 4.00. The objective would be to gain efficiency and consistency in making policy and implementing that policy through proposed programs and site-specific projects tiered to a common directive (SESA decision). As a starting point, the current OP 4.01 has the provisions for this proposed process identified in [Annex A, Definitions](#) (see definitions of: "10. Strategic environmental and social assessment (SESA)" and "4. Environmental and social management framework (ESMF)"). In addition, the definitions for "7. Regional EA" and "9. Sectoral EA" should also be assimilated as part of the SESA through the country-wide human environment and human condition assessment. The second part of the proposed safeguard process changes should be focused on "tiering" the programs and projects aspects of implementing the policy under the SESA-ESMF. Under [Annex A](#), OP 4.01, the definitions (with some modifications) for "2. Environmental impact assessment (EIA)" and "3. Environmental management plan (EMP)" could set this stage. The definition for EIA could be modified to read: "Environmental impact assessment (EIA): An instrument to identify and assess the important local issues specific to potential environmental impacts of proposed programs and project/subprojects with appropriately designed mitigation, management, and monitoring measures covered by the scope of the Bank/Country SESA and associated ESMF." The EMP would become the EIA's decision with legally binding requirements for the local effects which would work cooperatively with the SESA-ESMF. The SESA and EIA should be the only two actual safeguard OPs. The rest of the current safeguards and any future emerging issue safeguards should be turned into IFC like Performance Standards.

- The Environmental Assessment, Annex A, Definitions need to be more comprehensive. More terms/concepts should be included along with conceptual diagrams/sketches/pictures. Definitions and detailed explanations pertaining to OP-4.01, OP-4.04, OP-4.09, OP-4.10, Op-4.36 and 4.37 should be in one Annex.
- Frequently Asked Questions (FAQs) on all Environmental & Social Safeguards should also be developed in the way it has been developed for OP-4.00 (Piloting the Use of Country Systems), based on experiences gained by WBG experts, clients, and consultants in different sectors during meetings/site visits.
- BP 4.01, Annex A - Application of EA to Dam and Reservoir Projects: A terms of reference (TOR) model for the applications of EA policies and procedures should be developed and enclosed along with Annex A. Although such Model TORs exist in several borrower countries, it would be beneficial for the Bank to develop its own TOR for a satisfactory application of OP-4.01 in Dam and Reservoir projects. This TOR should stress a Separate Bio-diversity Impact Assessment/Biodiversity Management Plan as has been done and promoted by World Bank India in many Dams and Reservoir projects.

Management plan and impact assessment

- Any Environmental Management Plan or Environmental Management Framework System should be made available at the project site level to affected communities and interested groups in a locally appropriate language in a culturally appropriate way.
- One of the most important aspects to be improved is the implementation of any management plan as part of the impact assessment, whether this is an Environmental Management Plan or an Environmental and Social Management Framework. The Bank must ensure, by retaining ultimate responsibility, that borrowers/clients fulfill their obligations.
- Environmental Assessment can be improved to reflect international best practices and guidelines. To adequately safeguard the environment and biodiversity, impacts must be appropriately assessed, and all the stages of an impact assessment must be completed at a high standard by qualified individuals. Standardized assessment, which is repeatable and delivers robust and scientifically accurate results, is preferable.
- The World Bank should conduct Strategic Environmental (& Social) Assessments (SEA) for Country Assistance Strategies, and there should also be an SEA for any sector funding for each country (e.g., the energy sector) to ensure that development projects are sustainable in the long term. SEA methodology and outcomes should be made publicly available for comment, and expert groups and affected communities should be invited to provide input into the SEA process.
- Within the Environmental Assessment safeguard policy, the following aspects need serious attention during the ongoing review: 1) Preventive Measures; 2) Regional Strategic Environmental Impact Assessment: unclear if equivalent to Cumulative Environmental Impact Assessment and unclear how to include it in country system safeguard; 3) Environmental Management Plan (EMP): Procedure should be developed on key concerns where locations specific treatment is necessary; 4) Environmental Screening: Categorization – adoption and enumeration of objective criteria; 5) Public Consultation: Policy/Procedures should be developed to reduce the existing gender gap (e.g., make 50:50 (male/female) distribution a pre-condition for holding a public consultation on any issue); 6) Disclosure – Records of Best Practices followed in WBG Projects should be provided in footnotes online.
- The Bank should improve its environmental assessments to address waste management problems particularly in large cities.
- As for Environmental Management Plan mitigation, procedures for developing linkages with any mitigation plan (Involuntary Resettlement, Indigenous People, or Physical & Cultural Resources) should be more elaborative.
- The Environmental Assessment, Annex B: for a Category “A” Project, the scope of the physical and biological baseline should be elaborated; otherwise very superficial data on these conditions are usually collected. The physical component of baseline data should be segmented and should also include geomorphology/groundwater geology.
- As for baseline data in general, primary and secondary data requirements on environmental quality should be specified. In addition, the collection of the latest baseline data should be emphasized with respect to the Indigenous Peoples safeguard policy, especially on aspects of occupational structures; such data is best gathered through methods of primary data collection.
- Integrated data sheets on environmental and social safeguards made during the appraisal/EA stage of a project should provide more information on specific circumstances (i.e., locations and recommended mitigations). In fact, it would be a best practice if such data sheets could also be prepared during the supervision and implementation phases of projects.

Coverage and Relevance

- The Bank should evolve the context in which the safeguard policies are applied. The Bank’s current social safeguards are limited in their thematic coverage and application, narrowing their relevance to only a small segment of the Bank’s portfolio. This policy structure is a prescriptive framework for existing social policies and a restrictive framework that excludes consideration of other more widespread and relevant social risks routinely assessed by other members of the World Bank Group.
- The Bank needs to have safeguards that apply across its range of financing products—not just investment lending. Moreover, the Bank needs to ensure that development policy loans meet the same safeguard goals and standards as investment loans. Exempting major Bank product lines from safeguards consideration undermines the effectiveness of the safeguards system and hinders the achievement of sustainable development outcomes. Development Policy Loans, Program for Results, Technical Assistance, and financial intermediaries are not governed by the safeguard policies but by distinct and often much weaker policies. Therefore, the review and the updated safeguards should be applied to all IDA and IBRD activities, while MIGA and the IFC are covered by the Performance Standards.
- The approach paper and Bank officials have stated that they wish to harmonize safeguard policies, but restricting review and application solely to investment lending goes against this goal. The safeguard review and the updated safeguard framework should be applied to all World Bank operations including Program for Results and Development Policy Lending. Investment Lending currently accounts for 66% of bank operations, but due to changing bank priorities and loan arrangements, this is to decrease in the coming years as the percentage of

lending through Development Policy Loans, Program for Results, Technical Assistance, and financial intermediaries is expected to rise.

Emerging areas

- Many important issues (e.g., occupational health and safety; workers' rights to a fair wage and safe working conditions; hours of work and rest periods; social security; child labor; forced labor; non-discrimination; gender equality; and equal treatment for migrant workers) do not receive adequate attention in Bank projects, because they are not defined as safeguard risks. The narrow coverage of social safeguards in Bank projects compared to IFC and MIGA leads to an underestimation of the most relevant, serious, and widespread risks. Explicit policies are needed to assess the climate and community impacts of projects financed by the World Bank. Current policies do not address the challenges that climate change presents to recipient governments, affected communities, local ecosystems, and the global commons.
- The World Bank Group should use the current social and environmental safeguards policy review to establish a consistent and comprehensive practice of respecting fundamental workers' rights in all the Bank's operations.
- Cumulative and indirect impacts need to be assessed in relation to World Bank funded projects and programs. Incremental effects over a landscape or seascape could lead to impacts both on species populations, and habitats. The ecosystem approach as defined and endorsed by the Convention on Biological Diversity (CBD) provides good general principles, as do landscape approaches to conservation. Projects can also create barriers to movements, especially in migrating species, and break linkages across a landscape or region. The World Bank should seek to minimize habitat fragmentation and maintain linkages and corridors at a landscape scale.
- Sustainable development is only achievable by slowing population growth. The Bank should incorporate drivers of lower fertility in its programs like universal access to family planning and women's employment. Policies to facilitate these drivers are also appropriate such as: affordable childcare; equal access to information; and social, economic, and political rights.
- The Bank must incorporate the needs of persons with disabilities in all its environmental and social safeguard policies. Under the current safeguard policies, people with disabilities, often some of the poorest and most vulnerable people in society, especially in developing countries, are not systematically consulted, mentioned, or considered in the planning and design of Bank projects.
- The Environmental Assessment safeguard policy should be expanded to include "built environments" that foster social inclusion and ensure accessibility for all. This policy expansion would help all future Bank projects more effectively meet the varied needs of diverse stakeholders and project affected communities, especially disabled persons.

Other areas

- The Environmental Assessment safeguard policy (OP 4.01) needs to be strengthened to include considerations of animal welfare, as this issue is of increasing concern to consumers around the world. Moreover, animal welfare must be incorporated into sustainable development, because animals are an integral part of the global economy.
- More attention to Pest Management is necessary to ensure that the safeguard policies most effectively help achieve sustainable development and positive results on the ground.

Comments and recommendations on specific policies

- The World Bank should emphasize the requirement of proof that resettlement plans are drafted through participatory means and that the plans reflect the development priorities, realities, and needs of affected communities.
- More attention to involuntary resettlement (especially in terms of gender issues) is necessary to ensure that the safeguard policies most effectively help achieve sustainable development and positive results on the ground.
- The Bank should get rid of the "Indigenous Peoples" safeguard category, because determining which groups are considered indigenous is often problematic. Alternatively, the Bank's focus should be on vulnerable and marginalized groups.
- Issues analyzed and raised in a very recent book by the World Bank (i.e., [Indigenous Peoples, Poverty & Development](#)) should be given due consideration while revising OP/BP 4.10 and 4.12. This book is the first book that documents poverty systematically for the world's indigenous peoples in developing regions in Asia, Africa, and Latin America.
- Procedures need to be developed for integrated risk management tools to support Dam Safety Governance. Risk awareness at community levels should be supported, whereby owners, operators, and authorities in charge of dams can be provided with new information to communicate and inform citizens about the tolerable level of risk and the expenses of the investments to be made to achieve it. This approach would enhance social resilience while supporting strategic economic sectors in terms of sustainability and financial stability for the future.
- The Bank should develop formal risk assessment criteria to help identify dams at highest risk and prioritize inspections accordingly. Such criteria may include, but may not be limited to: date of the most recent dam inspection, downstream hazards classification, dam hydraulic adequacy, supervision and monitoring of all inspection recommendations, etc.
- OP/BP should provide a procedure for study of Hydraulic Status and its implications for dam safety.
- The Bank should not support operations which result in conversion of natural forest to plantation forests. Where the Bank is involved in supporting plantation forests, it must prioritize the use of native plants and control for the introduction of invasive species. Also, the Bank should distinguish between natural forests, plantation forests, and restored forests.
- The World Bank should not fund industrial large scale logging operations in critical habitat/natural forests. Industrial logging operations, which do not set out to achieve internationally recognized certification and do not safeguard both livelihoods and biodiversity, should not be funded.
- Stronger, more efficient forest certification systems need to be developed at decentralized levels in borrower countries. These FCS must be independent, cost-effective, and based on

objective and measurable performance standards that are defined at the national level and are compatible with internationally accepted principles and criteria of sustainable forest management.

- OP/BP4.04: Natural Habitats needs to be revised by the entire World Bank Group, in view of the latest Convention on Biodiversity held in India in coordination with the Government of India's Ministry of Environment & Forest. The issue of Environmental Flows required for sustainable development of biodiversity should be integrated with country system environmental and water policies.

Project-affected communities

- Stronger and clearer policy language is required for informing affected communities of their rights and choices. Moreover, communities should be included in the design, planning, implementation, and monitoring process.
- The policies should contain clear specifications for ensuring that consultations and the participatory planning process are carried out by groups/individuals that will not make affected communities feel pressured or coerced and who do not have a conflict of interest.

Harmonization and country systems

- The Bank should be mindful of country policies and laws that may significantly affect project implementation – amendments, deviations, and restrictions can all have devastating effects on mankind, development, and the environment.

Other issues

- The fact that the Bank's Safeguards Policies review coincides with its Procurement Policy review presents the opportunity to achieve greater policy coherence and improved sustainability performance.
- The Bank should ensure that adequate money and resources are readily available to the local entities that are charged with implementing the policies within an associated project.
- The Environment department should revise the scope of its role based on experiences so far and proactively circulate areas requiring serious attention, from project preparation through implementation, throughout the entire institutional hierarchy. Brainstorming sessions on such issues would also be very helpful in enhancing capacities of the entire institutional framework.
- Operating Principles should include a procedure and trekking method that requires that deficiencies identified during inspection must have follow-up inspections.
- BP 4.01, Annex B - Application of EA to Projects Involving Pest Management (IPM): Application of OP 4.01 (EA) involving Pest Management has focused so far largely in the agriculture sector, but there are several other sectors such as Urban Planning & Development, where developed countries' institutions have comprehensive IPM. Thus, the World Bank Group should provide adequate support to other sectors with potential IPM applications.

Q2: Please share examples of challenges you have encountered in applying the safeguard policies.

Overall

- Challenges encountered in applying the safeguard policies include: the acquisition of private land and resettlement of titleholders; resettlement and restoration of livelihoods of non-residential Project Affected Persons; relocation of community assets, particularly religious structures; sustaining shelter related resettlement of non-titleholders; and the periodical revision of the Resettlement and Rehabilitation Policy informed by experience on the ground.

Guidance and information

- There is a lack of awareness regarding the goals and objectives of sustainable development. Also, relevant documents, e.g. EMPs, RAPs, etc., were not always given and/or made available to country counterparts, forcing them to either ignore parts of their tasks or improvise their implementation duties.
- One challenge has been the absence of coverage of World Bank safeguard policies in contract agreements (only EMP/RRAP is given but no guidelines for how EMP/RRAP provisions should be interpreted). With no clear guidelines for EMP/RRAP implementation, success and compliance with safeguard policies are difficult to gauge.
- A mechanism should be in place which makes it easier to access information related to World Bank funded projects. All information related to the Impact Assessments should be made available in a timely manner, including ecological and environmental data (e.g., the Global Biodiversity Information Facility is an internationally recognized mechanism for biodiversity data disclosure).

Management plan and impact assessment

- Impact Assessment requirements for projects classified as B (or C) should be strengthened. The difference between what is required for A and B projects is too great, and environmental harm could occur due to an investment not requiring even a basic impact assessment.
- There is a lack of guidelines regarding the development of Environmental & Social Performance Indicators, especially with respect to appropriate methodologies.
- Categorization of projects has not been clear. Clear procedures should be set out for categorization (and screening) of projects. Categorization methodologies need to be standardized and transparent to enhance harmonization.
- The Bank should work to strengthen the application of the mitigation hierarchy and continue its commitment to avoidance of negative impacts. Issues of cost should not be used to shirk responsibility to the rigorous application of the mitigation hierarchy.

Emerging areas

- There are human rights challenges that arise in relation to development-induced displacement. As such, the Bank should introduce a human rights-based approach to safeguard policies.
- Existing World Bank safeguard policies do not address the needs and rights of the world's largest minority – disabled persons. Physical barriers as well as attitudinal and stereotypical perceptions have consistently deprived persons with disabilities of their voice in the mainstream, national, and international development agenda.
- Free, prior, and informed consultations and information disclosure practices are not even close to being in compliance with the WBG guidelines/procedures outlined in its Manual/Handbooks, etc.
- The current safeguard policies are too narrow in focus to address threats to occupational health and safety. Labor risks, if not addressed, can and do become project risks, resulting in: delays in project implementation; project/construction cost increase; penalties and compensatory payments; increased labor costs; deaths, injuries, and ill health; damages claims by workers; disruptions due to workforce accidents, disputes, and strikes; forced suspension, shutdown, or limitation of operations; corruption, including exploitative employment and labor practices and evasion of statutory fiscal and social security obligations; and damage to public image and reputation. Early assessment and management of these risks will yield important social benefits and positive development outcomes.
- There is a lack of understanding for emerging issues and no good Bank structure for capturing the information so that it can be used for other projects in the future whether intra-country or inter-country.

For example, because the emerging issue of disability has not been truly integrated systematically, the Bank has lost a significant amount of information and many opportunities to avoid or correct harmful effects on people with disabilities (PWDs). The loss of such information makes the ability to determine the “potential significance of effects” on PWDs needlessly difficult. Such data loss also traps PWDs and organizations representing them in a seemingly endless web of processes that are hard to understand, especially in terms of where and how to intervene. For instance, a project development of an area during Environmental Screening fails to understand or misses the opportunity to get PWD issues identified and classified as “significant” for proper categorizing and follow-on analysis. Thus, such issues, if even recognized, are likely classified under Category C (i.e., a project that is likely to have minimal or no adverse environmental impacts. Beyond screening, no further Environmental Assessment (EA) action is required).

With no further consideration given to the issues for PWDs, an opportunity to gather valuable information is lost. For vulnerable groups like PWDs and women, the impact of lost information is a “significant” impact, especially on a cumulative basis over several missed project opportunities to gain knowledge and experience. If PWDs are more fortunate, their issues may be noticed and possibly classified under Category B. As such, an Environmental management plan (EMP) regarding impacts on PWDs “may” be prepared (see Environmental Assessment, OP 4.01 [Annex A](#), “*Environmental management plan (EMP)*” definition). However, the Environmental Assessment (EA) would not compel an EMP: “For Category B projects, the Concept Review decides whether an environmental management plan (EMP) will be required” (see Environmental Assessment, [BP 4.01](#), EA Preparation).

In other words, the lack of familiarity with the significance of PWD issues makes it less likely that an EMP will be done for PWD issues. With no EMP, there is no affirmative legal obligation to do things helpful to PWDs or document oversight. In another example, suppose that a school is built without universal design features such as a simple, properly designed ramp as well as door access for physically challenged people. Without proper analysis and responsive consideration, (1) the opportunity for assisting the vulnerable group of PWDs is missed and (2) the chance of remodeling or reconstruction for universal design measures in the near future, if at all, are lost — virtually an irreversible effect. So, without adequate information on how to evaluate and determine the “potential significance of effects” for any emerging issue (especially for PWDs), the current safeguard policies are inadequate for the task. Something similar to the IFC Performance Standards with a broader and more efficient development process would be a good starting point to correct these inadequacies for the identified emerging issues and those that will arise in the future.

Other areas

- Since animal welfare is not at the core of any Safeguard Principles or Operational Policies, it is difficult to access information on the housing and care practices (i.e., proper handling, health, productive capacity, feed, transportation, and slaughter) of animals in livestock sector projects financed by the World Bank, let alone call for any improvements in practices. The Bank should give financing opportunities to local farmers (including small town families) to generate earnings through a humane farming process. This strategy could help decrease unemployment, reduce poverty in fields, and ensure better use of resources.

Comments and recommendations on specific policies

- The Involuntary Resettlement policy does not make a clear attempt at addressing various rights violations commonly found in many development projects, placing vulnerable groups at even more risk.

Monitoring and oversight

- Due to lack of monitoring mechanisms and a regulatory body, the standards set by the pollution control boards are not maintained.
- Research studies on the infrastructural projects have pointed out that those projects have the direct and adverse effect of displacing people, particularly women. This displacement has led to the increased feminization of poverty and subsequent crimes like trafficking, petty thefts, as well as drug and other substance abuse. Therefore, the Bank should: 1) ensure livelihood options by monitoring infrastructural projects at regular intervals either through its own representative or by appointing consultants; and 2) incorporate the information into the Management Information System at the outset of its projects.

Enforcement and redress mechanisms

- The current policies have weak enforcement that prevents many people from being involved. The new safeguard policies should be easier and more convenient to use.
- One challenge has been the absence of committees for redressing grievances at the client and further decentralized levels.
- Adaptive management of safeguard policies in Bank projects is applied inadequately.

Capacity

- The implementing agencies used by borrowers do not have the required capacity or desire to implement Resettlement Action Plans effectively, and the Bank is not doing adequate due diligence.
- A lack of decentralized waste water treatment capacity among engineers dealing with municipal waste has resulted in the failure to keep rivers clean.
- The Bank does not prepare the groundwork enough to help borrower states manage the absorption of massive funds within their fledgling institutions. Consequently, the Bank is all too often perceived as interfering in the internal affairs of borrower states.
- In many countries and also within the World Bank's own offices, lack of capacity has been highlighted as an issue. Results and outcomes will be enhanced where effective capacity is increased. Internal staff training in impact assessment and biodiversity issues will increase the application of the safeguard policies and result in their effective implementation. As many countries currently do not have the capacity to adequately implement a safeguard system, there should be a phased approach to the use of country systems. To support this phased approach, the World Bank must work with national governments to increase their capacity in drafting laws and regulations, and it must engage with civil society during the impact assessment process.
- Challenges include: inadequate data about sub-projects areas; inadequate training programs for orienting entire institutions, especially local communities regarding safeguard policies and benefits of sustainable development among institutions.

Harmonization and country systems

- The lack of harmonization between existing local government policies and the Bank's Involuntary Resettlement policy causes weak commitment from the borrower and a failure to make adequate preparations.

Q3: Please share examples of what has worked well in applying the safeguard policies.

- The present safeguards have worked reasonably well for what they cover over the years, but the times have changed. More information is available, and the number of emerging issues keeps growing. The safeguards in place should be maintained in another format for integration into the new approach being sought through this revision. Something like the IFC Performance Standards could work if there is a much better and efficient process for creating and integrating many more.
- While there are some indications of positive results from the application of the Environmental Assessment and Indigenous Peoples' safeguard policies, the Bank has not focused its attention on developing policies that address labor and supply chain risks in its projects, particularly for the construction and forestry sectors.
- Clear concise safeguards, which are easy to understand, applicable in a range of different circumstances, and global in nature, have delivered beneficial outcomes despite some inconsistency in their application.
- The fact that the Bank contains mandatory requirements, with mitigation measures designed before project approval, has meant that project appraisal has been reasonable. The Bank should continue to pursue preventative measures over mitigation measures, as set out in OP 4.01 Environmental Assessment, and throughout the safeguards.
- Implementation was successful in cases where local World Bank teams were actively involved with local counterparts (e.g., through training opportunities and regular consultations), resources were transparent, and accountability was taken seriously.

- Securing the commitment of all parties involved in the implementation process (i.e., the affected communities, the implementation team, local government, etc.) was critical to the successful application of safeguard policies. This bottom-up approach directed funds to the intended community and placed the government in a facilitative role.
- The Bank's safeguard policies have worked well when the Bank has sufficiently sensitized local communities and political systems to its reforms.
- The safeguard policies have worked well in the administration of the Critical Ecosystem Partnership Fund (http://www.cepf.net/grants/Pages/safeguard_policies.aspx).
- The strengths of the Involuntary Resettlement policy include the provision of requiring consultation and alternative resettlement options of Project Affected Families. The safeguard policies have also worked well in terms of the preparation and application of borrower policy for Resettlement and Rehabilitation, particularly in getting land cleared from residential non-titleholders for projects.
- Existing World Bank safeguard policies have worked well in some infrastructure projects (e.g., roads, railways, etc.) but not for dam projects.
- Examples of what has worked well in applying safeguard policies include: 1) Inclusion of EMP & RRAP in Contract Agreements; 2) Finalized Reporting Requirements in Contract Agreements; 3) Emphasis on Onsite Assessment & Monitoring of EMP/RRAP; 4) Onsite verification of EMP/RRAP implementation activities and records by World Bank Environmental and Social Specialists; 5) Discussions regarding EMP/RRAP issues by World Bank Environmental and Social Specialists during World Bank Mission Review visits; and 6) Consistent instructions regarding EMP/RRAP implementation issues by World Bank Environmental and Social Specialists.
- Any recommendations that the Inspection Panel makes to the Safeguard Review should be integrated into a new framework. The Inspection Panel offers a good redress mechanism, and cases in the Democratic Republic of Congo, Cambodia, Papua New Guinea, and Chad have demonstrated the panel's effectiveness. Recommendations of the Inspection Panel have also enabled civil society to more effectively engage with the Bank and increase productivity through policy reforms.
- For projects that are associated with high-risk or contentious issues or that involve serious and multidimensional environmental concerns, the utilization of an advisory panel of independent, internationally recognized specialists to advise on all aspects of the project has been useful, especially for the safeguarding of the environment and biodiversity.

Q4: *In your view, what aspects of the 2010 Independent Evaluation Group's study of the Safeguard Policies and accompanying recommendations are particularly important for the Bank to consider in the Safeguards Review and Update?*

Changing development context

- The IEG study identified the need to adapt the safeguard policies to reflect the changing context in which the World Bank operates, including a rapidly changing business environment, new lending modalities and financing instruments, as well as evolving best practices and borrower needs.
- The strategic aspect of the Bank's revised safeguards needs to start with the Strategic Environmental and Social Assessment (SESA) to clarify what client policy positions are before engaging in programs and projects. The IEG study saw the value of client country policies, follow-on programs, and projects that are not piecemealed but coherent, as well as the importance of consistent policy planning and program/project implementation. The Strategic Environmental and Social Assessment (SESA)/Environmental and Social Management Framework (ESMF) and tiered Environmental Impact Assessments (EIAs)/Environmental Management Plans (EMPs) approach could serve this purpose.
- The transaction costs of safeguards and rigidities in policy interpretation, particularly for the social safeguards, have led to risk aversion and, in some cases, to avoidance of projects or components that would benefit the poor.

Policy architecture

- The Bank should consolidate the environmental policies as requirements under one umbrella policy on environmental sustainability.
- Revise the policy frameworks to harmonize thematic coverage and guidance across the World Bank Group and enhance the relevance of those frameworks to client needs. IFC, MIGA, and the World Bank should jointly adopt and use a shared set of objective criteria to assess social and environmental risks to ensure adequacy and consistency in project categorization across the World Bank Group.
- The World Bank should increase the synergies between safeguards work and broader Bank engagement on environmental and social sustainability by investing in upstream analytical work, technical assistance, and lending to strengthen country and sector institutions and capacities in client countries.
- Safeguards should be considered not just as a means to prevent harm but as capacity-building instruments used to foster more positive results. To achieve these results, social and environmental considerations need to be "upstreamed," that is, considered at the beginning of project and program development, rather than after project and program parameters are set. An effective approach would be for the Bank to commit to building institutions that have capacity to carry out these efforts.
- The IEG report underlined how the IFC Performance Standards cover more issue areas that are relevant to the World Bank's investment project portfolio than the World Bank's current safeguard policy framework. Therefore, the Bank should align its approach to environmental and social sustainability with the IFC Performance Standards.
- The IEG study did an excellent job of discussing the impact of the conversion of the IFC's safeguards to a single policy on social and environmental sustainability with eight performance standards. The IFC approach could serve as a starting point of reference that the World Bank could improve.

Monitoring and oversight

- All the safeguard policies need to be defined and redefined based on data gathered during the consultative process under varying host country conditions. The IEG report highlighted that better monitoring, documentation, reporting, and disclosure of environmental and social impacts are needed to improve the quality of cost benefit analysis.
- The World Bank should include performance indicators on environmental and social outcomes in the results frameworks of its projects and ensure systematic collection of data to monitor and evaluate safeguards performance.
- The IEG study observed that many projects with substantial environmental and social impacts lack adequate supervision and follow-up, undermining the effectiveness of safeguard policies. In particular, the study pointed out that the Bank needs to expand its focus on issues such as biodiversity, climate change, and benefit-sharing to enhance social impacts on the poor.
- The Bank should assign responsibility and budget for safeguards oversight and reporting to environmental and social units in each operational region—in line with IFC practice—in place of the delegation of safeguards processing and supervision to sector management units. Also, the Bank could introduce a certification program to expand the pool of staff qualified to undertake social and environmental preparation and supervision, as well as provide orientation training on environmental and social sustainability to all task team leaders.
- The Bank should develop and implement an action plan to ensure regular supervision of financial intermediary projects and investment projects that use social and environmental policy frameworks through third-party or community monitoring for higher-risk projects and require disclosure of monitoring and supervision reports.
- The IEG report stated that one third of World Bank projects had unrealistic safeguard ratings and weak monitoring and evaluations. Regular reporting of the implementation and outcomes of the safeguards should be a prerequisite of any funding to a client/borrower. These reports should be made publicly available and accessible to a wide variety of stakeholders in a culturally appropriate way.
- The Bank should prioritize the inclusion of metrics that reflect international social and environmental accords, such as the Millennium Development Goals and the Aichi Targets of the Convention on Biological Diversity, as well as the UNFCCC goal of limiting global warming to 2 degrees Celsius. One way to prioritize metrics would be for the Bank to introduce natural capital accounting (NCA) into its program and project measurements where applicable. This strategy would complement the Bank's excellent work to pilot NCA in systems of national accounts under the Global Partnership for Wealth Accounting and Valuation of Ecosystem Services (WAVES). A good example of a metric the Bank could use that integrates environmental and social goals that contribute to sustainable development is the Ocean Health Index (<http://www.oceanhealthindex.org/>). The ten measures that make up the index can be weighted and down-scaled so that they can reflect investment and policy goals for whatever scale is relevant to the project or program.

Emerging areas

- The Bank should consider the inclusion of areas that have traditionally been disconnected from its safeguard policies (e.g., disability guidelines). Moreover, the Bank must work to enhance the relevance of its safeguard policies to client needs.
- The World Bank should ensure adequate coverage of social effects—integrating community and gender impacts, labor and working conditions, and health, safety, and security issues not currently covered by its safeguard policies—by consolidating existing social safeguards with other WBG policies on social risks as requirements under one umbrella policy on social sustainability.

Other areas

- The World Bank should make animal welfare a priority, especially in the context of disaster assistance. Not all governments have emergency plans, evacuation processes, professional staff, and specialized areas to handle livestock and companion animals after natural disasters. As a result, many people either refuse to evacuate their homes/farms to stay with their animals or lose their livestock.
- The World Bank should seriously consider animal welfare issues in agricultural practices (e.g., animal confinement and other forms of animal cruelty). Animal welfare should be added to the list of emerging issues of global importance, because of a growing international movement against the extreme confinement of farm animals on industrial farms, and because animal welfare is closely linked with human health/well-being and with environmental protection. The industrialization of farm animal production has led to widespread environmental damage, pushed smallholders (including women farmers) out of the market, reduced income opportunities in many rural areas, and created environmental and human health problems. The trend towards industrialization thus appears to jeopardize multiple UN Millennium Development Goals, including the empowerment of women and environmental sustainability.

Project-affected communities

- The 2010 IEG study highlighted the importance of developing a comprehensive social assessment of community impact, which would enable early identification of vulnerable groups. Such an assessment would be particularly important for persons with disabilities, since disability and poverty are inextricably linked.
- The Bank should consider adopting approaches that differentiate interventions designed to benefit affected persons from those likely to induce adverse effects in order to ensure that vulnerable groups are not excluded from development benefits.
- The IEG study pointed to the importance of a partnership with clients, third parties, and local communities to enhance ownership and results. The Bank should bear in mind that this partnership must include Disabled People's Organizations in order to make sure that the interests and needs of persons with disabilities are represented.

Accountability and grievance

- Systems and instruments for accountability and grievance redress must be built into Bank projects and programs.
- The Bank should improve its systems and instruments that support accountability and grievance redress. Moreover, it should seek greater symmetry in the structure of WBG accountability and grievance redress mechanisms. For the World Bank this would entail creation of a grievance redress and conflict resolution mechanism to complement the IPN.

Harmonization and country systems

- Revise the current approach to safeguards pilots on use of country systems to focus on strengthening country institutions and systems to manage environmental and social risks.
- The IEG specifically states that the World Bank should focus on strengthening country institutions and systems to manage environmental and social risks. Until country systems are at a level that can ensure the monitoring, reporting, and implementation of safeguards, they should not be used.

Q5: What core principles that promote sustainable development should the Bank consider in the review, including those already reflected in the current safeguard policies?

Environmental protection

- In order to achieve sustainable development, environmental protection shall constitute an integral part of the development process, and cannot be considered in isolation from it. Eradicating poverty and reducing disparities in living standards in different parts of the world are essential to achieve sustainable development and meet the needs of the majority of people.
- People are entitled to a healthy and productive life in harmony with nature.
- Development today must not undermine the development and environmental needs of present and future generations.
- Borrowers have the sovereign right to exploit their own resources but without causing environmental damage beyond their borders.
- Borrowers shall use the precautionary approach to protect the environment. Where there are threats of serious or irreversible damage, scientific uncertainty shall not be used to postpone cost-effective measures to prevent environmental degradation.
- Borrowers shall cooperate to conserve, protect, and restore the health and integrity of the Earth's ecosystem. The developed countries acknowledge the responsibility that they bear in the international pursuit of sustainable development in view of the pressures their societies place on the global environment and of the technologies and financial resources they command.
- Borrowers should reduce and eliminate unsustainable patterns of production and consumption, and they should promote appropriate demographic policies.
- Borrowers shall enact effective environmental laws and develop national law regarding liability for the victims of pollution and other environmental damage. Where they have authority, borrowers shall assess the environmental impact of proposed activities that are likely to have a significant adverse impact. Borrowers should cooperate to promote an open international economic system that will lead to economic growth and sustainable development in all countries. Environmental policies should not be used as an unjustifiable means of restricting international trade.
- Borrowers shall warn one another of natural disasters or activities that may have harmful trans-boundary impacts.
- The Bank should consider the inclusion of eco-system valuations for protection, maintenance, and optimum utilization of environmental assets that produce economic benefits.
- Warfare is inherently destructive to sustainable development, and borrowers shall respect international laws protecting the environment in times of armed conflict, and shall cooperate in their further establishment. Peace, development, and environmental protection are interdependent and indivisible.
- Borrowers shall develop international laws to provide compensation for damage that activities under their control cause to areas beyond their borders.
- More focus on rural sanitation projects is necessary to reduce water pollution and stimulate sustainable development in rural communities.
- The Bank should consider the twelve principles outlined in the ecosystem approach defined by the Convention on Biological Diversity. The conservation and protection of biodiversity are essential to alleviating poverty and securing sustainable development now and for future generations.

Social protection

- The Bank should focus more attention on adopting a multidisciplinary notion of "sustainable development" and take the aforementioned social/societal factors much more into consideration. However, the Bank has a vision that can be a bit too limited in what is considered "societal" (notably, but not exclusively, what is linked to human capital). Therefore, it would be useful to clearly outline what are characterized as "social and environmental risks" using the most exhaustive approach possible.
- The Bank needs to set its core principles to true core principles. The idea of sustainable development has basic elements that do not change over time. These are: 1) *Human Environment* – air, land, and water. The three media which constitute life on the planet. 2) *Human Condition* – social connection/disruption. All human actions involve either making connections or disrupting those connections, including the economic aspects which influence the amount of social power over living conditions. All aspects of human existence are impacted by alterations of these two core principles. So, the essence of the current safeguards and their coverage only scratches the surface of human sustainability. The safeguards do not focus on

the underlying principles of sustainability of human development but rather selectively pick and choose sub-issues over truly working on core principles.

Participation

- Environmental issues are best handled with the participation of all concerned citizens. Borrowers shall facilitate and encourage public awareness and participation by making environmental information widely available.
- The full participation of women is essential to achieve sustainable development. The creativity, ideals, and courage of youth, as well as the knowledge of indigenous people, are needed too. Borrowers should recognize and support the identity, culture, and interests of indigenous people.
- The Bank should consider stakeholder engagement and the protection of stakeholder rights and interests as core principles that promote sustainable development.

Capacity

- Sustainable development requires better scientific understanding of the problems. Borrowers should share knowledge and innovative technologies to achieve the goal of sustainability.
- As the systems and institutions of its borrowers develop, the Bank should take the stage of borrower capacity into consideration in applying its safeguard policies.

Emerging areas

- The World Bank should adopt safeguard policies aligned with the international human rights obligations of its member states and clients. Incorporating human rights protections will bring the Bank into alignment with recent developments at the UN, support member states in the fulfillment of their human rights obligations, and improve development outcomes by ensuring respect for the rights of those the Bank seeks to benefit.
- The Bank should consider the principles of human rights, labor standards, the environment, and anti-corruption outlined in the UN Global Compact.
- Gender equality and the rights of Indigenous Peoples are two core principles that should be better articulated and integrated into the safeguard policies.

Other areas

- The World Bank should ensure that all and any safeguard policies protect the principle of non-discrimination on the basis of race, color, sex, age, sexual orientation or gender identity, language, religion, political or other opinion, national or social origin, property, birth, disability or other status. As such, World Bank activities must not discriminate on any prohibited grounds, neither in the design nor in the implementation phase.
- The World Bank must ensure that no one is excluded from its development aid and that its resources reach and benefit the most vulnerable and marginalized members of society.
- The Bank should consider how reducing unplanned pregnancies and population growth creates employment opportunities for women, increases access to health and educational services, spurs investment opportunities, and alleviates pressure on limited resources such as land and water.
- Stronger animal welfare standards are required to promote more sustainable, equitable, and humane development in the livestock sector. Farm animal welfare is an issue of growing global importance, and the treatment of animals has far-reaching impacts on the welfare of human communities and the natural environment. It is not possible to promote food security or achieve humane or sustainable development in the livestock sector without the full integration of animal welfare considerations.
- The Bank should emphasize integrity, transparency, resource management, good governance, and climate change mitigation as core principles that promote sustainable development.
- The Bank should consider the following principles of sustainable development: 1) Living within environmental limits; 2) Ensuring a just society that is strong, healthy, and includes gender justice; 3) Promoting good governance; and 4) Achieving a stable economy.

Comments and recommendations on specific policies

- Involuntary resettlement should be avoided or minimized to promote sustainable development.
- The Use of Country Systems, OP 4.00, should be converted to a review of the country-wide human environment and human condition system of laws, regulations, and implementation processes. In other words, the OP 4.00 needs to be a straight forward "Strategic Environmental and Social Assessment (SESA)" for the client country in question.

Management plan and impact assessment

- The concept of a Bank/Country Strategic Environmental and Social Assessment (SESA) and associated Environmental and Social Management Framework (ESMF) followed by tiered Environmental Impact Assessments (EIAs) and Environmental Management Plans (EMPs) for implementing programs, projects, and sub-projects would accommodate the Bank's intentions to have a sustainable affect from the country level to the site-specific local level, as well as provide an integrated framework.

Examples

- To promote sustainable development, the Bank should consider: the Equator Principles; the Sustainability Reporting Principles and Guidelines of the Global Reporting Initiative; the Universal Declaration of Human Rights; the UN Millennium Development Goals; Principle 10 of the Rio Declaration, in relation to access to environmental information, mechanisms for redress and compliance, and open consultation; UN "Protect, Respect, and Remedy" Framework and Guiding Principles or Ruggie Principles; International Labor Organization conventions

including the Declaration on Fundamental Principles and Rights at Work and the Declaration on Social Justice for a Fair Globalization; the UN Convention on the Rights of Persons with Disabilities (especially the first six of the eight Guiding Principles, along with particular attention to Article 9); and the UN Declaration on the Rights of Indigenous Peoples (UNDRIP).

- The Precautionary Principle is an essential safeguard and instrument for sustainable development. The Bank should bear in mind, however, that the issue of cost effectiveness used in the precautionary approach should not be used as an excuse for adopting measures which avoid or mitigate harm to the environment or people.
- The Polluter Pays Principle requires that polluters bear the cost of measures to reduce pollution according to the extent of either the damage done to society or the exceeding of an acceptable level (standard) of pollution. For the World Bank, the standard used should be an internationally recognized level, preferably of an OECD country with a high level of environmental protection and should not rely solely on an individual country's definition.
- The safeguard policies and their associated processes lack coherence. For example, support for coal-burning power plants and palm oil plantation projects conflicts with the Bank's goals of mitigating climate change, conserving biodiversity, and promoting sustainability. The Bank must make coherence in its policies and processes a core principle in order to achieve sustainable development (for a model, see the Policy Coherence for Development (PCD) dimension of the European Union's development policy).

Other issues

- The Bank should outline a clear funding disbursement strategy during the early stages of project development in order to increase sustainable outcomes beyond the life of its projects.
- The Bank's safeguard policies team and its Governance and Anticorruption (GAC) team should collaborate more closely and in a very transparent manner.
- The focus of the safeguard policies should be on what outcomes the Bank seeks to influence rather than on how development is prevented or policed.

Q6: *Are there any additional factors - beyond the internal and external drivers described in the paper (section II of the Approach Paper, page 4) - that the Bank should consider in the course of the review?*

General observations

- Frameworks and objectives should be clearly presented to avoid overloading borrowers and minimize the potential for project dysfunction.
- Given the fundamental importance of safeguards in the Bank's development model, the review should prioritize the human face of safeguards, resulting in stronger rather than weaker safeguard protections for affected people and the environment (i.e., there must be no dilution of the Bank's safeguard provisions).

Emerging areas

- The scope of existing Bank safeguards must be expanded to address gaps in the current framework. This includes the need to develop additional safeguard policy standards to address human rights, including labor rights, women's rights, children's rights, rights of people with disabilities, and land rights; ecosystems and their values; and climate change mitigation and adaptation.
- The World Bank should take the UN Convention on the Rights of Persons with Disabilities into account when applying safeguards to its projects.
- The Bank's projects should prioritize accessibility for all in built environments to help protect human rights (especially the rights of disabled persons) by fostering more meaningful social inclusion.
- The Bank must support projects that promote the responsible management of natural resources (e.g., soil degradation prevention, sustainable water use, invasive species eradication, ocean acidification mitigation, biodiversity preservation, etc.).

Other areas

- Food security issues should be considered to support efforts to ensure access to food for all peoples.
- The Bank should bear in mind that population growth is a driver of environmental degradation, resource depletion, and many negative social problems.
- There is growing consumer demand for eggs and meat produced with higher standards for animal welfare. As a result, more industrialized countries and major global food corporations are beginning to adopt stricter animal welfare standards and phase out extreme confinement practices such as the confinement of egg laying hens in barren battery cages, breeding sows in gestation crates/sow stalls, and veal calves in crates. Producers around the world will be disadvantaged in the long run if the Bank does not help prepare them to meet the demands of the changing marketplace. The World Bank should also take into consideration the documented link between the way animals are treated and social violence.

Coverage

- The new safeguard framework must apply to all types of Bank-supported activities including development policy lending (DPL), program for results (P4R), financial intermediary lending, technical assistance and other advisory services, and the use of country systems, as well as to the broad scope of Bank-supported activities, including associated facilities and recurrent expenditures.

Project-affected communities

- The Bank must show more sensitivity to the needs of target communities and more consideration for local cultures.

Risk

- The safeguards review should result in comprehensive, effective, and consistent risk management in all stages of the lending cycle, ensuring greater relevance to a more diversified World Bank lending portfolio.

Internal reforms

- The Bank should reform its staff and management incentive systems, provide sufficient funding to ensure effective safeguard implementation, and address the long-standing weaknesses in monitoring, evaluation, and supervision.
- The safeguard review must result in strengthened public accountability of the Bank. People affected by all types of Bank investments should have full access to information, participation in decision-making, and access to redress. Prior to deciding on investments, the Bank should ensure that all who are involved in implementing the investment are aware of their responsibilities to respect human rights and the environment. The final policies must provide sufficient detail to allow the Inspection Panel to assess compliance and ensure meaningful redress for affected communities.
The Bank should implement a legal framework for its projects. For example, the Bank could implement policies like giving displaced individuals shareholder status for at least a decade, thus making them partners in development.

Examples

- The Aichi Biodiversity targets should be central to Bank operations. Achievement of these international targets, which are supported at the country level by National Biodiversity Action Strategies, will help support sustainable development, enhance climate change resilience, and help ensure future generations have access to biodiversity.

Monitoring and compliance

- The Bank must elaborate on its mandatory due diligence procedures to ensure that safeguard requirements are fully met by project proponents.

Harmonization and country systems

- The existing safeguard policies and procedures must be strengthened to provide, at a minimum, consistency with international laws and the highest standards and norms (i.e., a process of upward harmonization). Moreover, the policies should create synergies with broader economic, employment, and industrial policies and complement wider efforts designed to achieve development goals.
- The Bank should emphasize good governance and capacity building at the country and project level.

Global public goods

- The Bank should bear in mind that the ecological integrity of the Global Commons is increasingly threatened by human activities. Both natural capital and ecosystem services have been lost, and the rate of loss is likely to continue unless major remedial measures to eliminate unsustainable practices are taken. There is a lack of an equitable, fair management program for the Global Commons based on certain ethical principles, and inefficient implementation of appropriate mechanisms hinders enforcement of initiatives dealing with the Global Commons. Security challenges and inadequate ecosystem monitoring persist as well in the Global Commons.
- The notion of “global public goods” extends well beyond the (central) issues concerning the environment.
- The systems for integrating global public goods into country strategies are underdeveloped.

Other issues

- Important factors to consider include: 1) ever increasing demands of multilateralism and the need for a healthy multilateral system to encourage more countries to tackle common concerns with increased shared responsibilities; 2) trade restrictions for environmental objectives; 3) New approaches for social justice and environmental sustainability; 4) challenges of environmental governance at national, regional, and global levels; 5) administration for environmental justice; 6) alternative dispute resolution mechanisms (case management systems, standard forms, etc.); 7) borrowers’ performance on [promoting active citizenry](#); 8) political uncertainty/instability and lack of transparency in policy decisions; 8) legal issues involving pricing, taxation, royalties, ownership, arbitration, convertibility, corporate law, accounting rules, funds remittances, and process regulation; 9) use of technology including design, engineering, procurement, construction, equipment installation, and operation of the equipment and its compatibility with accomplishment of project objectives; 10) social environment of borrowers; 11) inadequate or ineffective management of projects by project sponsor or project management agency; 12) high levels of economic inequality within a borrower country that could fuel tensions; and 13) natural disasters, wars, hostilities, military coups, civil strife, and acts of terrorism.

- The Bank should consider the profound changes at the social and technological level that could be examined in relation with World Bank safeguard policies (distribution and universal access to information and communications technologies (ICTs), the emergence and sometimes the consolidation of the middle class in developing countries, higher levels of education, the substantial increase of international migrations, the strengthening and growth of Civil Society Organizations (CSOs), etc.). These factors are pertinent to all the policies submitted for review, but notably to OP4.01, OP4.10, OP4.11 and OP4.12.
- In examining the growing role of the private sector in development efforts, the World Bank should lend more consideration to the large differences that exist within the private sector (it should also take into account, to the extent possible, the informal sector, the social economy, etc.).

***Q7:** The paper notes that over the next decades countries will need to contend with a growing number of environmental and social risks and challenges (para 19 of the Approach Paper). These include: climate change, biodiversity loss, ocean acidification, economic and forced migration, and public health epidemics. The next generation of safeguard policies will need to help borrowers address these risks. Please describe any environmental and social sustainability frameworks used by other public or private institutions that you believe effectively address these risks, which the Bank should consider in the course of this review.*

General

- There is an essential need for the Bank to integrate the Strategic Environmental and Social Assessment (SESA) into the policy level aspects of global issues with client countries. The Bank can help client countries get a jump on the growing number of environmental and social risks and challenges by going to the basics of SESA policy analysis associated with human environment and human condition effects. The SESA is geared toward integrating environmental and social considerations into an assessment of policies and plans and even programs. It is broader in scope than just a Regional EA or Sectoral EA, thus subsuming them within its scope. The Environmental and Social Management Framework (ESMF) is the perfect decision document to mate with the SESA. It documents and legally binds client countries and the Bank to a framework that can be tied directly to policy implementing program and project Environmental Impact Assessments (EIAs) and their perfect decision document mate the Environmental Management Plan (EMP). This simple use of the SESA/ESMF and tiered EIAs/EMPs should more than suffice in meeting the challenge of factoring in environmental and social issues into collective decisions and their subsequent actions.
- It would be very useful if the Bank shared the principles adopted by the International Finance Corporation (IFC) for funding private projects.

Environmental protection

- The Climate, Community, and Biodiversity Alliance (CCBA) has developed the CCB Standards to evaluate land-based carbon mitigation projects from the early stages of development through implementation. These standards: identify projects that simultaneously address climate change, support local communities, and conserve biodiversity; promote excellence and innovation in project design and implementation; mitigate risk for investors and offset buyers; and increase funding opportunities for project developers. The CCB Standards identify land-based projects that are designed and implemented using best practices to deliver robust and credible greenhouse gas reductions while also delivering net positive benefits to local communities and biodiversity.
- The Bank should consider the use of the REDD+ Social & Environmental Standards (SES). This initiative aims to build support for government-led REDD+ programs that make a significant contribution to human rights, poverty alleviation, and biodiversity conservation. In addition, the Bank should consider the Social and Environmental Principles and Criteria (SEPC) of the UN-REDD program, as well as the Benefits and Risks tool and the participatory governance framework.
- Although not designed as a safeguards framework, the Bank would also benefit from use of the Ocean Health Index.
- The Bank should consider the Ecological Footprinting approach of the Global Footprint Network. The Ecological Footprint is a data-driven metric that tells us how close we are to the goal of sustainable living. Footprint accounts work like bank statements, documenting whether we are living within our ecological budget or consuming nature's resources faster than the planet can renew them.

Emerging areas

- The UN Convention on the Rights of Persons with Disabilities (especially the first six of the eight Guiding Principles, along with Article 9) should form the basis for effectively addressing the growing number of environmental and social risks concerning the world's largest minority – people with disabilities.
- The Bank should consider the Plan Vivo Standards, which are part of a broader framework for planning, managing, and monitoring the supply of verifiable emission reductions from small-scale producers and community land-based projects. These standards promote sustainable land-use practices.
- For approaches and best management practices regarding risks associated with climate change and biodiversity loss: IPCC, UNEP, UNDP, CBD, and UNFCCC; for ocean acidification: IOC; for economic and forced migration: human rights organizations; and for public health epidemics: WHO.
- The Bank must recognize that issues like disability and gender are going to continually crop up as time moves forward. The process changes needed of the Bank must be dynamic, not only at the program and project level, but the policy level, too. The habit around the world has been to hone in on “adaptive management” which is code for program and project adjustments on the ground. This approach totally neglects the primary cause of country-wide as well as global problems by making country policies invisible to strategic assessment. Alternatively, the

Bank should use the SESA/ESMF and tiered EIAs/EMPs approach, which sets up an “adaptive policies” or “adaptive safeguards” process. For examples, see the US Department of Energy, Bonneville Power Administration’s Business Plan Final Environmental Impact Statement (DOE/EIS-0183) and Fish and Wildlife Implementation Plan Environmental Impact Statement (DOE/EIS-0312), which are essentially a policy SESA. Additionally, examine the Records of Decision for both to understand how the ESMF could function. The tiered Records of Decision for implementing programs and projects (representative of the tiered EIAs/EMPs) for these two policy SESAs are available for review. This process has been tested and proven for over a decade. These documents are at: http://efw.bpa.gov/environmental_services/Document_Library/Business_Plan_EIS/ and http://efw.bpa.gov/environmental_services/Document_Library/Implementation_Plan/.

- The Bank should consider frameworks that support the protection of migrant workers’ rights, the prevention of diseases, in addition to climate change and disaster risk mitigation and adaptation.

Other areas

- To assess animal welfare practices, the Bank should refer to the International Finance Corporation’s Good Practice Note on Animal Welfare in Livestock Operations. The EU Welfare Quality Program is aimed at accommodating societal concerns and market demands to develop reliable on-farm monitoring systems, product information systems, and practical species-specific strategies to improve animal welfare. In addition, specific European Union Directives set minimum legal standards of welfare for various farm animals; individual EU member states can set higher standards for animals within their own territories. EU Regulations cover animal transport and slaughter and are identical in all member states. The RSPCA’s Freedom Food initiative uses a labeling system to identify food produced without animal cruelty. WSPA/Humane Society International’s Disaster Program focuses on animal rescue, maintenance, and health treatments. The World Bank could fund disaster relief and animal vaccination programs, especially in poor communities.

Project-affected communities

- The Bank’s framework should have active community participation at its foundation. This bottom-up approach will ensure that affected individuals/groups will be part of the entire operation and implementation process. The framework should be completely transparent and should incentivize commitment of both time and resources.

***Q8:** Please share examples of environmental and social assessment and risk management approaches (used by either public or private institutions) that are internationally recognized as good practice, which are not reflected in the current safeguard policies, but should be considered in the course of the review.*

General

- Although it is a very old document (1994), the World Bank should consider a report that was prepared and financed by the World Bank itself on the “analysis of social and environmental risks.” This report was prepared by Luciano d’Andrea, Francesco Ambrogetti, and Gianfrancesco Costantini under the supervision of Gloria Davis and Shelton Davis of the World Bank. This document contains a matrix (to be updated, but relatively exhaustive for the period and also today) for the identification of social and environmental risks.
- The Bank should consider: the Universal Declaration of Human Rights; the Equator Principles; the Sustainability Reporting Principles and Guidelines of the Global Reporting Initiative; the UN Millennium Development Goals; CBD Voluntary Guidelines on biodiversity-inclusive Impact Assessment; Principles on “biodiversity-inclusive” impact assessment by the Biodiversity Section of the International Association for Impact Assessment (IAIA) in 2005; the World Resource Institute’s Ecosystem Services Review for Impact Assessment; Business and Biodiversity Offset Program (BBOP) standards and guidelines; international framework agreements; and codes of conduct of multinational companies.

Enterprises

- The OECD Guidelines for Multinational Enterprises are recommendations addressed by governments to multinational enterprises operating in or from adhering countries. They were revised in 2011 in consultation with adhering countries and emerging economies. They embrace a set of widely recognized principles and standards for responsible business conduct including employment and industrial relations, human rights, environment, information disclosure, combating bribery, consumer interests, science and technology, competition and taxation, together with procedures for mediation and conciliation as part of the implementation of the Guidelines.
- The UN Global Compact is a voluntary initiative for businesses committed to aligning their operations with ten universally accepted principles in the areas of human rights, labor, environment, and anti-corruption. Its objectives are to mainstream the ten principles in business activities around the world and catalyze actions in support of broader UN goals, including the Millennium Development Goals.

Environmental protections

- The Bank should consider adopting an ecosystem-based approach (EBA) in any projects that affect the environment and land use in order to improve policy coherence. EBA has been most frequently referred to in the context of climate adaptation; in this context EBA refers to the use of natural systems as a way to: buffer the worst impacts of climate change; maintain the resilience of natural ecosystems, their ecosystem services, and the species that support them; and help people adapt to changing conditions. EBA for adaptation is an important and often-

overlooked complement to other modes of adaptation, which include infrastructure development and technological solutions—from levees to desalination systems. EBA also refers to conservation actions—such as watershed protection—that protect people from the impacts of climate change. It is worth noting that the Bank itself has studied and reported the benefits of such approaches (see http://siteresources.worldbank.org/ENVIRONMENT/Resources/ESW_EcosystemBasedApp.pdf).

- The Bank should consider using sensitivity mapping to track and assess the vulnerabilities of species potentially affected by its infrastructure development projects. Where in practice, this tool has helped ensure that wind farm projects, for example, protect species vulnerable to collision with turbines.
- The Integrated Biodiversity Assessment Tool (IBAT) is a spatial mapping tool designed to support decisions in relation to categorization of projects and help guide EIA scoping and baseline information surveys. It provides access to accurate and up-to-date biodiversity information in a spatial layer with a mapping functionality that projects species composition across an area.
- The ISO 14000 series' standards help promote more effective and efficient environmental management in organizations by providing useful tools for gathering, interpreting, and communicating environmentally relevant information.
- The High Conservation Value Areas concept should factor into the Bank's consideration. This concept relies on the identification of six High Conservation Values, which include both ecological and social values. Although initially designed specifically for forests, it has also been used for other land use planning operations and within commodity certification schemes.
- The Addis Ababa Principles and Guidelines for the Sustainable Use of Biodiversity are worth the Bank's consideration.
- The Global Biodiversity Information Facility (GBIF), specifically the Publishing EIA-related Primary Biodiversity Data, merits consideration.
- The Bank should consider the International Association for Impact Assessment (IAIA) Capacity Building for Biodiversity and Impact Assessment (CBBIA) project, in which the Convention on Biological Diversity (CBD) and Ramsar Conventions were closely involved. The CBBIA outputs include training manuals and EIA/SEA Guidance.
- The Bank should consider the Ecological Footprinting approach of the Global Footprint Network. The Ecological Footprint is a data-driven metric that tells us how close we are to the goal of sustainable living. Footprint accounts work like bank statements, documenting whether we are living within our ecological budget or consuming nature's resources faster than the planet can renew them.

Emerging areas

- The Bank should consider a rights-based approach (RBA) to improve coherence in its processes. This approach must be respectful of internationally recognized human rights. At the same time, this approach should show consideration for the cultural values of local populations and the sovereignty of States in which the Bank operates; protect vulnerable peoples and the ecosystems that sustain them; encourage good governance rooted in equitable participation, conflict resolution, and accountability; and work in partnership with all stakeholders to ensure lasting and fundamental improvements in the environment and for humanity.
- The International Labor Organization (ILO) Tripartite Declaration on Fundamental Principles and Rights at Work is a voluntary global framework for responsible business conduct. It was developed and endorsed by government, business and workers organizations, and is based on agreed ILO conventions and recommendations. It has a strong emphasis on employment and human rights and applies universally, regardless of ratification. It involves regular monitoring through periodic surveys.
- The Bank should consider the "Akwé: Kon Voluntary Guidelines" for conducting cultural, environmental, and social impact assessments that concern sacred sites and waters traditionally occupied or used by indigenous and local communities.
- The Bank should adopt a social model of disability and implement policies that are conducive to social inclusion (e.g., barrier-free design of built environments that are accessible for all). Information on Bank safeguards, projects, and policies should be provided in accessible formats, especially to accommodate the blind and those with impaired sight.

Other areas

- Transparency International's Corruption Indices can help ensure that reliance on country systems does not limit positive outcomes.
- Internationally recognized guidelines for the welfare of animals are being developed by the World Animal Health Organization (OIE). These could serve as a baseline for good husbandry practices in animal agriculture. However, the OIE standards should serve as a floor and not a ceiling for animal welfare safeguards, as citizens in many countries may push for a higher level of welfare in certain circumstances. The World Bank should consider financing projects with similarly high welfare standards in order to meet the expectations of consumers and ensure that producers can trade in international markets.

Comments and recommendations on specific policies

- The Bank should consider the seven general "strategic priorities" outlined in the World Commission on Dams framework. These priorities cover key areas for the improved planning of dams (e.g., assessing all available options for meeting water and energy needs; addressing outstanding social issues from existing dams before building new ones; gaining public acceptance for key decisions; emphasizing the importance of protecting healthy rivers, etc.). The set of 26 "guidelines for good practice" lay out specific actions for complying with the strategic priorities at five key stages of project development.
- Sri Lanka's Innovative Approaches for Involuntary Resettlement for Lunwa environmental improvement and community development has been viewed as good practice and should be considered in the course of the Bank's review of its safeguard policies.

Q9: As part of the review process, the Bank will also consider whether and how it could potentially address a number of emerging areas (para 35 of the Approach Paper) stakeholders have asked to be considered. These include human rights; labor and occupational health and safety; gender; disability; the free, prior, and informed consent of Indigenous Peoples; land tenure and natural resources; and climate change. Do you have recommendations with respect to any of these areas?

General observations

- The Bank should show a lot of intellectual and operational flexibility, especially when multiple stakeholders are involved in addressing these emerging issues.
- In areas where the law of the land addresses these emerging issues, the Bank should give more consideration to the culture and traditions practiced by the host country.
- Consistency with other World Bank strategies and policies should also be a priority for the safeguard review. The revised policies should seek alignment with the goals of the World Bank's Environment Strategy 2012-2022. The strategy's Green Agenda, focused on sustainable management of natural resources and valuation of ecosystem services, could be advanced by strong natural habitat and forest safeguards. The Resilience Agenda would likewise be supported by safeguards with strong protections for ecosystem services.
- Key concerns and recommendations emerging from the Bank's policy review can be organized into four themes: 1) protection of the rights and livelihoods of local communities, 2) protection of ecosystem services and natural habitats, 3) strengthening impact assessment and implementation, and 4) broad and uniform application of safeguards across the Bank's instruments.
- Local communities should be involved throughout the process of project planning, implementation, monitoring, and the identification of critical natural habitats.
- Beyond recognizing the rights and livelihood practices of local communities, safeguards should prioritize community-based management of natural resources. In light of the IEG finding that Participatory Forest Management has been effective in delivering livelihood enhancing benefits and positive environmental outcomes, the Bank should scale-up existing community-based efforts.
- Safeguards should employ the precautionary principle to protect ecosystem services and prohibit adverse impacts to priority ecosystem services. If there is suspected risk of harm or absence of scientific consensus, the precautionary principle places the burden of proof on the Bank to demonstrate that an action is not harmful.
- Language on ecosystem services in IFC's Performance Standards and associated Guidance Notes could be used as a model for mainstreaming ecosystem services into the safeguards.
- It is crucial that investments with both direct and indirect impacts on natural habitats trigger the relevant safeguards; that safeguards are comprehensively applied, monitored, and verified; and relevant information is publicly disclosed in a timely manner. The 2007 World Bank Forest Strategy Review of Implementation reported that forest-related safeguards were inadequately triggered and inconsistently applied, and that operational guidance on safeguard application was insufficient.
- The Bank must also take into account governance risks when considering the potential for social and environmental harm from natural resource-related interventions. It is imperative that the Bank retain responsibility for supervision and oversight of safeguards, limit the devolution of responsibility to borrowers or independent forest certification systems— particularly in cases of weak governance. To facilitate such responsibility and oversight of forest and natural habitat-related projects, the Bank must have ample, dedicated staff with expertise in forests and natural habitats.
- Borrowers (Clients) should develop capacity and resources regarding the Universal Declaration on Human Rights, Convention on Torture (CAT), Convention against Corruption (CAC), and applicable country safeguards.
- An integrated approach should be taken whereby progress on one measure is not at the expense of another.
- The current method of creating safeguards and their selection and finalization process are not sustainable. Moreover, the current safeguards process misses many opportunities to deal with important information gathering, dissemination, and effect analysis. The safeguard development process needs to be a 90-180 day process from start to finish. The revised safeguards need to be more like IFC Performance Standards but with the ability to quickly advance emerging issues to a finalized format. The finalized format has to address the important concepts for making appropriate determinations during environmental screening.
- The Bank's updated safeguards must be presented in terms that affected groups can understand. The following terms could be of great assistance if put into a context affected groups could understand. Definitions for: Significant effects (degree and size of effect); Cumulative impacts (synergism of multi-effects); Long-Term or Irreversible Effects (likelihood); Direct and indirect effects (immediate design effects or associative effects of design and/or implementation); Connected or enabled project actions (one project links to another or creates the environment for the other); Sensitive or unprecedented impacts (otherwise unknown or unforeseen without the Environmental Assessment); Mitigation (avoidance, minimizing, or compensation); Third Party influences (related to indirect and cumulative effects where impacts are foreseeable); and Disproportionate effects (difference in equality of expected impacts). Essentially, the revised safeguards need to have a translation bridge between the Bank and the emerging issue group. This bridge would help ensure that all groups associated with emerging areas could have a transparent channel into how the decisions about assessment categorization are done (i.e., EA category A, B, C, FI). This categorization is so important to the proper characterization and future analysis of the emerging issue. Missed opportunities lead to virtually irreversible effects and ultimately significant cumulative effects.

Labor and occupational health

- The revision of the World Bank's safeguard policies should include safeguards on labor standards. These safeguards should require compliance with internationally recognized core labor standards and properly adapted requirements such as those found in IFC's Performance Standards for other basic working conditions (i.e., the provision of information to workers on conditions of employment, retrenchment procedures, grievance mechanisms, occupational health and safety standards, and supply chain standards).

- In 2010, the World Bank and the regional development banks jointly incorporated International Labor Standards (ILS) clauses into their harmonized procurement of works documents, applicable to lending for major construction projects. However, the World Bank has taken no measures to ensure implementation of these clauses, nor has it implemented its commitment to apply the ILS to small construction projects.

Land tenure and natural resources

- Land Tenure and Natural Resources safeguard policies must consider the role that biodiversity plays in delivering sustainable livelihoods and must support the accessibility and delivery of ecosystem services.
- The World Bank should clarify its definition of a “natural resource” and should distinguish between natural resources that can and cannot be replenished once used.
- Safeguards should address underlying issues of land tenure and ensure that Bank interventions do not compromise local communities’ customary rights or use of land.

Climate change

- The Bank’s programs and projects should be climate resilient. Investment should not be locked into developments which may require costly retrofitting or decommissioning. A climate risk analysis of projects/programs will aid in deciding if a project/program is climate resilient.
- The World Bank should carry out carbon accounting of all its activities and ensure that it is making a positive contribution to reducing Green House Gas emissions. The use of life cycle assessments should also be promoted by the Bank, as well as the integration of resource efficiency into its safeguard policies.

Free, prior, and informed consent of Indigenous Peoples

- Free, prior and informed consent (FPIC), as articulated by the United Nations Declaration on the Rights of Indigenous Peoples, must be the standard for approval of all projects impacting indigenous peoples.
- The revised safeguard policies should implement all the recommendations given by IEG regarding the free, prior, and informed consent of Indigenous Peoples and adopt new best practices in this area to overcome deficiencies observed by IEG.

Human Rights

- The Bank should adopt human rights due diligence. Due diligence should involve carrying out a Human Rights Impact Assessment (HRIA) to examine risks of human rights violations.
- Disability and Human Rights should be incorporated into the Environmental and Social Impact Assessment.

Disability

- Disability and Human Rights should be incorporated into the Environmental and Social Impact Assessment.
- The Bank should adopt the UN Convention on Rights of Persons with Disabilities. It is critical that the needs and rights of persons with disabilities are explicitly and systematically ensured through the adoption of strong, clear policy language on inclusive and accessible development when planning for certain types of programs and projects in sectors such as transportation and tourism; building infrastructure; communication and information technology infrastructure; social programs such as education, employment, and health; and reconstruction work in the aftermath of disasters.
- The World Bank must ensure that persons with disabilities are afforded full and effective participation and inclusion in society as well as equality of opportunity; that they benefit from and participate in Bank-funded operations; and that adverse impacts of Bank operations on them are avoided or mitigated if impossible to avoid.
- The Bank should provide more funding for infrastructure projects that emphasize design standards like barrier-free construction that enable accessibility for all.
- The Bank should develop, in collaboration with Disabled People’s Organizations and persons with disabilities, criteria that it will use to compare borrowing countries’ standards on disability to those of the Bank’s when preparing projects that trigger the disability provision of a specific safeguard. The borrowing country’s standards should apply to the project only if they are equivalent to or are more advanced than the Bank’s. Otherwise, the Bank’s standards should apply.
- The World Bank should create an inclusive process for consulting persons with disabilities and local Disabled People’s Organizations at each stage of project development—from design to implementation and evaluation—and suggest appropriate ways to accommodate their needs.

Gender

- Gender should be emphasized more in the Bank’s safeguard policies. Moreover, access to family planning services and support for women's employment should be prioritized. Such initiatives lead to lower population growth, which makes progress in all other emerging areas easier to achieve.
- The World Bank Group’s revised safeguard policies should adopt a gender-sensitive approach that supports the following principles: 1) gender human rights as core development objectives; 2) incorporation of laws to prevent harm to women; 3) empowering women in decision making for all Bank supported activities; 4) compulsory implementation of gender impacts risk assessments; 5) collection of sex-disaggregated data in every investment; 6) establishment of gender-sensitive/responsive grievance mechanisms (in particular, delegating gender discrimination cases to the Inspection Panel); and 7) enhancing the accessibility of project information through mediums (not just print) comfortably understandable to women

affected by WBG projects.

- The issues raised and recommendations given in the report, “Linking Gender, Environment, and Poverty for Sustainable Development: A Synthesis Report on Ethiopia and Ghana,” published by the Social Development Department, Sustainable Development Network, The World Bank, January 2012, should be given significant consideration during the safeguards review. Issues raised in following World Bank working papers should also be considered: [Issue Brief: Poverty and Social Exclusion in India - Adivasis](#) and [A Closer Look at Child Mortality among Adivasis in India](#).
- The Bank needs to inform this review process with all the outputs of the 2012 World Development Report on gender and development.

Other areas

- Animal welfare must be considered. It is necessary to promote medical controls, housing and care practices, and improvements in industrial animal agriculture practices. Communities throughout the world suffer from strong nuisance odors, flies, poor water quality, and filth, which emanate from industrial farm animal production facilities. Such problems diminish local residents’ quality of life. Industrial farm projects should thus require prior impact assessments on community health, including potential nuisance odors, insect infestations, and antibiotic resistance, in addition to standard evaluations of water quality impacts.

Comments and recommendations on specific policies, practices

- The Bank must commit to making the existing safeguards even more robust and effective in order to address heightened threats to local and global ecosystem services and the impacts of these losses on vulnerable peoples. The safeguard review provides an opportunity to update the forest and natural habitat policies to reflect international best practice and lessons learned. More robust safeguards can be created by learning from the Bank’s own projects, through Inspection Panel cases, the 2013 IEG evaluation of the World Bank Forest Strategy implementation 1, as well as related policy developments such as emerging REDD+ guidance and standards of other multilateral banks.
- Past projects provide examples of both successes and shortcomings in implementation of forests and natural habitats safeguards, with relevant Inspection Panel cases serving as instructive examples. In particular, the Inspection Panel’s report on the Bank’s interventions in the Democratic Republic of Congo noted the Bank’s tendency to focus on the value of forests for timber production over other more sustainable uses; a neglect of project impacts on those living in the forest or dependent upon it; and improper assessment and categorization of risk. The Panel also noted serious concerns with the use of Development Policy Loans (DPLs) for highly sensitive sectors such as forests, due to weaknesses in the policy’s assessment of social and environmental impacts.
- The recent IEG Evaluation of the Bank’s Forest Strategy implementation found that while the Bank has contributed to environmental outcomes, forest interventions other than participatory forest management have failed to properly balance the aims of poverty reduction and environmental aims. The safeguard review should heed the IEG’s conclusion that “poverty reduction, for the most part, has not been satisfactorily addressed” in World Bank Group forest interventions. Important steps towards addressing the IEG’s recommendations could be achieved by incorporating key concepts into safeguard policies, such as expanding participatory forest management and community participation in forest sector interventions, and utilizing more refined outcome indicators to measure the sustainability of forest interventions.
- Emerging best practices on safeguards in the REDD+ space are broadly applicable to forest lending outside of REDD+. These best practices—many of which have been pioneered by the Forest Carbon Partnership Facility—include the application of free, prior and informed consent (FPIC), enhanced stakeholder engagement and participation of indigenous and local peoples, upstream participatory planning processes for national policy and program development, more effective use of project-level accountability and grievance redress mechanisms, transparent and equitable benefit-sharing, and proactive information disclosure.
- Given the cross-cutting nature of forests and natural habitats, substantial overlap exists with other safeguard policies, including Indigenous Peoples, Involuntary Resettlement, and Environmental Assessment. Commonalities between these topics should be identified and strengthened, and emerging issues such as land tenure and climate change should also be incorporated.

Harmonization and country systems

- Where Bank-supported projects would entail the use of borrower country systems, it is important that the Bank evaluate the equivalency and acceptability of the country system, assess technical capacity, and assist the borrower in developing an action plan. In all cases, the Bank should retain monitoring and supervision responsibilities.

Coverage

- Safeguards must also be expanded to programmatic loans such as DPLs, which have the potential for significant and long-term environmental and social impacts but are not bound by the same level of protective standards.

Q10: *An objective of this review is to evolve the safeguards policies into an integrated framework that would serve as the basis of a shared commitment between the Bank and its borrowers to environmentally and socially sustainable outcomes. Do you have any recommendations to guide the Bank in this effort?*

General observations

- The Bank must prioritize the protection and conservation of biodiversity and the sustainable use of natural resources as part of any screening or due diligence procedures.
- The Bank should provide sector specific guidelines for institutions of different sectors in borrower countries for accelerating Piloting the Use of Country Systems.
- The Bank should align its policies with the Performance Standards of the IFC and the Performance Requirements of the EBRD, as well as ensure policy coherence with its Procurement Policy. There needs to be harmonization with other MDB safeguards, and other Multilateral Environmental Agreements' action plans such as NBSAPs, NAPAs, NAMAs and Poverty Reduction Strategies to ensure strategic implementation of development plans. Harmonization should not, however, mean a weakening of the safeguards.
- The Inspection Panel should be officially consulted and invited to comment on the drafting of the integrated framework. It has vast experience in the implementation of existing safeguards, and its recommendations will be vital in ensuring that the new safeguards function properly.
- Environmental concerns should not overshadow social, health, and safety issues.
- An integrated approach should be taken whereby progress on one measure is not at the expense of another. Consideration should be given to existing declarations and agreements on the emerging issues.
- The Bank should consider making the following revisions: 1) The Strategic Environmental and Social Assessment (SESA) (replacing the Use of Country Systems, OP 4.00) and the Environmental Impact Assessment (EIA), OP 4.01, should be the only safeguard policies (e.g., umbrella safeguards). 2) All other issues including past safeguards should become IFC Performance Standard like guidance for the emerging issues; the Performance Standards are critical to translating issue expert language into understandable Bank Performance Standard language for proper categorizing and assessment (i.e., category A, B, C, FI). 3) The SESA identifies the overall client country's policies analysis with the Environmental and Social Management Framework (ESMF) used as the decision-making instrument, followed by tiered EIAs for policy implementing programs and projects with Environmental Management Plans (EMPs) as the decision-making instrument. 4) The IFC like Performance Standards will be somewhat equivalent to a mixture of the IFC Performance Standards and Guidance Notes but with a more weighty and binding aspect for all emerging issues by providing the necessary means to assess issues identified and determined necessary under the EIAs. 5) The new Performance Standards methodology would be able to create an expeditious process for public process and acceptance and World Bank approval (i.e., 90-180 days). 6) The move to two safeguards will be the "gold" standard and will negate need to revisit the key functions of the "safeguarding" process except through the Performance Standards process.
- Because all of the safeguard policies are interlinked and have such a broad impact on local communities, it makes sense to bring them under an integrated framework.
- The Bank should not make the safeguard policy framework too cumbersome or complex to execute on the ground.

Emerging areas

- Strong industrial health and safety and security measures are needed to prevent accidents for workers and communities alike.
- Human rights due diligence should be required on the part of both the Bank and its borrowers in order to identify all potential impacts on human rights, especially for the most vulnerable categories such as persons with disabilities. This approach should be used in every Bank-financed project or program to ensure that any adverse impacts are addressed. This type of inclusive rights-based policy framework should apply to all types of Bank-supported activities and not limited to projects relating to social protection.
- The World Bank must work within the UN international framework, and ensure that borrowing countries are following the UN standards on human rights issues. For persons with disabilities, that framework is the Convention on the Rights of Persons with Disabilities.
- The World Bank should adopt binding disability rights standards to monitor borrowing countries' compliance with inclusive development practices.
- Integration of the Communications Officer, PIC Centers, and local support needs to be greatly strengthened, and accountability criteria clear to ensure the correct PIPs are actively engaged and involved.

Other areas

- The Bank should only fund agricultural projects designed with animal welfare in mind that protect the livelihoods of small farmers, promote good health and nutrition, mitigate negative environmental impacts, strengthen economic growth, and eliminate poverty. The Bank should reject false dichotomies such as "animal welfare or food security" and "economic growth or environmental sustainability." Adequate investment in the rural supply chain can result in improved food security outcomes in rural and urban areas around the world, while enhancing animal welfare and protecting the environment all at the same time.

Monitoring and compliance

- The Bank should outline clear procedures in case of non-compliance with its safeguard policies. In particular, the Bank should have effective enforcement mechanisms in place, as well as independent expert monitoring.
- In addition to penalties and incentives, other mechanisms to achieve environmental compliance should be incorporated into Bank projects (e.g., the use of environmental insurance, bonds, or contract payment holdbacks in construction contracts, since penalties and fines are usually not sufficient as a deterrent).
- Construction contracts should contain incentives for compliance with environmental safeguards and penalties for non-compliance.
- Bank staff, client governments, and borrowers all should be held equally responsible and legally accountable for failure to comply with Bank policies.

Project-affected communities

- The Bank must clearly explain its projects to affected communities to build mutual understanding with the project sponsors.
- The Bank should systematically address project design issues rooted in inadequate assessment and consultation with affected groups.

Project planning and implementation

- Greater coordination between project engineering and environmental planning activities should take place.
- Mapping of sensitive areas should be prepared before construction begins.
- The Bank and borrowers should collaborate to set achievable goals and outline specific terms early in project development to fulfill their commitment to environmentally and socially sustainable outcomes.
- The Bank should consciously build measures into its projects and programs that build synergies between sustainable management of natural ecosystems and poverty alleviation.
- The Environmental Management Plan (EMP) is not “set in stone” and should be viewed as a living and dynamic document. Should specific measures in the EMP need to be changed, formal change management procedures should be implemented and documented, including sign off and agreement of all environmental authorities in the project.
- The Bank should set stronger requirements for all contractors to have their own EMS in place that complies with the project’s EMP requirements.
- Equipment and personnel must be accounted for at all times. An accurate inventory of the stock of equipment, its exact location, and availability must be kept up to date and accessible. This is equally true for personnel.
- During the operational phase, the environmental management cycle must emphasize identification and monitoring of geographically challenging areas along the ROW.

Comments and recommendations on specific policies

- The various difficulties faced by both the Bank and the borrower in the implementation of current safeguard policies related to Involuntary Resettlement mainly emerge from the mismatch between the evolved policies of the Bank, which are based on in-depth research and global best practices, and the development status of the borrower. Many borrowers operate under fragile social, economic, and political conditions and with limited capacity in terms of their legal (including framework for land acquisition), institutional, and governance systems.
- Although it is not possible to develop and implement tailor-made policies suiting the requirement of each borrower, the Bank could develop two to three sets of safeguard policies on Involuntary Resettlement ranging from basic minimum to maximum compliance requirements, which would suit a variety of borrowers at different stages of country system capacity development. It is true that the safeguard policies on Involuntary Resettlement are designed in a manner to make them flexible to suit the local context to some extent. However, there are many aspects including those related to eligibility for benefits and entitlements, which could be broken down in sets with different levels of compliance requirements. Such policy sets could be based on the Bank’s past experiences with a variety of borrowers in implementing safeguard policies.
- The Bank should develop and use detailed procedures for providing guidance to borrowers during preparation and implementation of Involuntary Resettlement safeguards. Decisions on applying a particular set of policies should depend on in-depth assessment of the borrower’s state of affairs (e.g., housing and real estate sector and markets) and detailed consultations held between the Bank and the borrower.
- The environmental assessment process should identify and address, early in the project cycle, trans-boundary issues associated with project operations. The environmental assessment process for operations with potentially significant trans-boundary environmental and associated social impacts, such as operations affecting another country’s use of waterways, watersheds, coastal marine resources, biological corridors, regional air sheds and aquifers, will address the following issues: (i) notification to the affected country or countries of the critical trans-boundary impacts; (ii) implementation of an appropriate framework for consultation of affected parties; and (iii) appropriate environmental mitigation and/or monitoring measures to the Bank’s satisfaction.

Other issues

- The Bank should support enhancing borrower countries’ competitiveness by improving and promoting the conservation of their natural capital, enhancing the value of environmental goods and services, as well as encouraging and facilitating private sector participation and investments in environment-related activities. In addition, the Bank should help maintain competitiveness and secure markets by meeting buyers’ environmental demands. Emphasis should also be on the strengthening of regional integration by supporting regional capacities to protect and manage regional environmental goods and services.
- The Bank should support the maximization of public welfare (in particular by improving health outcomes linked with environmental factors and maximizing productivity gains).

Q11: *How can the Bank better support borrowers in their efforts to strengthen their systems and institutions with respect to environmental and social safeguards practices to yield more sustainable results on the ground?*

Capacity

- The Bank should provide clear and early guidance, technical assistance, and training on implementing environmental and social safeguards for Bank staff, borrowers, procurement entities, contractors, workers, and trade unions. Instruction should include pricing and bidding guidelines and cover any important new policies.
- After in-depth analysis of lessons learned and deficiencies encountered, the Bank should support the replication of practices successful in other projects.
- The Bank should develop innovative approaches and best practices to protect indigenous knowledge, including by strengthening intellectual property.
- The systems and institutions of Bank borrowers are often not very robust or are in the early stages of development. Capacity building initiatives (e.g., industry forums, training programs, improved social and environmental metrics, etc.) by the Bank in partnership with the borrowers can strengthen these systems and institutions.

Assessment and support to countries

- The Bank should identify vulnerable areas in borrower systems and institutions on a project level and then provide funding for those areas to facilitate monitoring and evaluation.
- The Bank should invest in providing technical support to borrowing countries in order to help them implement the safeguards (especially regarding disability issues).

Harmonization and country systems

- The Bank should encourage institutions to work on Piloting of Country Safeguards Systems (OP4.00).
- The Bank should encourage and support all clients, whether in the public or private sector of borrower countries, in developing their own environmental and social policies and procedures (especially Strategic Environmental and Social Impact Assessments).
- The Bank should aim not to impose an agenda and instead show more flexibility toward the people of the host country.
- The Bank should help strengthen local legislation, as needed, to establish legal recognition of the customary or traditional land tenure systems of Indigenous Peoples.
- The Bank should conduct a Country Environmental Assessment to identify and address gaps in environmental legislation. A Strategic Environmental Assessment should also be carried out for Country Assistance Strategies.

Emerging areas

- The Bank must give itself the means to hold the projects it supports accountable for their inclusivity of all, including persons with disabilities. The creation, implementation, and monitoring of all safeguards should include persons with disabilities and local Disabled People's Organizations, since the persons most informed regarding inclusivity of the safeguards would be persons with disabilities themselves.
- There should be a World Bank register of local independent external experts on important issue concerns (e.g., disability issues related to accessibility).

Other areas

- The Bank should support the livestock sector by embracing production models that are environmentally sustainable, more humane, and that create a robust rural economy. The Bank can help producers stay competitive in the global marketplace for eggs and meat by financing projects with high animal welfare standards, including cage-free housing systems for egg laying hens and group housing systems for gestating sows.

Comments and recommendations on specific policies

- The Bank should ensure coherence with its Procurement Policy and its Standard Bidding Documents for Works.

Other issues

- The Bank must ensure that commitments to policy changes are honored and implemented in reality.
- The Bank should focus on the consultation process, capacity building of implementing agencies (including other development banks, local governments, and regional partners), and its own responsibilities with regard to project sustainability.

Q12: Do you have any additional comments or suggestions?

General observations

- The objective of the safeguard policies is to protect people, their rights, and their environment. This review should prioritize the human face of safeguards. Vulnerable groups, such as, but not limited to, persons with disabilities, should be addressed strongly and actively, in all relevant safeguard policies.
- Addressing drivers of environment degradation is probably the most important element of any safeguard policy and this should be reflected in any new approach.
- The Bank's policies should not be comprehensive to the point of inflexibility, ignore realities on the ground, or needlessly delay project implementation.
- The revised safeguards framework should be built upon the concept of full understanding and not full agreement. Policy formulation whether in the Bank, client country, or worldwide comes about because of the need to settle big issues that have multiple and varied opinions and values associated with them. The Bank-driven Strategic Environmental and Social Assessment (SESA) is important to help ensure all opinions and values are reflected, enabling the client country as a whole to understand the differing positions and potential human environment and human condition impacts. Deciding issues at the policy level will help resolve a multitude of program and project issues, which become more detailed, site-specific, and emotionally-driven.
- The IEG pointed out in its report that earlier safeguard policy reviews were *piecemeal*. The ongoing safeguard policy review process may be made holistic by revisiting all relevant handbooks, manuals, and technical papers. The Bank should prepare an easily accessible annotated bibliography on the issues addressed in its current safeguard policy review. Such a bibliography would be of great assistance to all those working to achieve sustainable development.

Emerging areas

- Effective measures should be introduced in the revised safeguard policies to ensure the full inclusion of disabled persons as active and equal participants in society, as well as equal beneficiaries of the Bank's projects.
- The World Bank should set out a strategy for divesting from operations which contribute to the release of green house gases.
- The Bank should identify the entry points for mainstreaming climate change adaptation issues into its development projects and programs.
- Offsets are appropriate only in a narrow set of circumstances, where a positive benefit for biodiversity can be clearly demonstrated and assured in perpetuity. Addressed on a case by case basis, offsets should be assessed (and where appropriate designed and implemented) using a set of strict principles that is rigorously applied.
- Mitigating the animal agriculture sector's significant yet underappreciated role in climate change and environmental problems is vital for the health and sustainability of the planet and its human and nonhuman inhabitants.

Other areas

- Because farming is an important part of the global economy and animals are useful for transportation, safety, companionship, and nourishment, it is important that the World Bank integrate "Animal Welfare" into its safeguard policies. Failure to incorporate animal welfare into these policies will create significant economic, social, and public health risks. More and more significant multinational food corporations and producers are shifting to cage and crate-free policies. Without the World Bank's support, many companies will not be able to compete globally if they do not keep up with animal welfare trends that are taking place around the world.
- Policies aimed at increased farm animal production should target smallholders, pastoralists, and other food insecure households in rural areas, instead of supporting massive industrial farm animal production facilities that feed urban populations already suffering from public health crises like obesity epidemics. Thus, Bank investments in food production need to be reconciled with its public health goals.
- Effective control or eradication of invasive species from natural ecosystems, including islands, can neutralize the negative impacts of these species on human welfare and allow ecosystems to recover. Tools to control and permanently eradicate invasive species are well-established and can include the use of pesticides. The methods to achieve effective control and eradication are derived from long-established, safe agricultural practices from ground based manual control to aerial crop spraying and fertilizer distribution. The World Bank should acknowledge this great history of successful conservation and human health interventions and amend OP-4.09 to reflect the agricultural, public health, and conservation needs addressed by Pest Management.
- Jobs must be central in development strategies. Problems of high unemployment and underemployment predate the last global recession and subsequent period of slow recovery. The World Bank's decision to focus its *World Development Report 2013* on jobs is welcome. The Bank should use the opportunity of the publication of the WDR 2013 to promote the understanding that creation of decent work must be at the centre of the development process if economic growth is to be broadly shared.

Impact assessment

- The Bank should update its social and environmental assessments to address climate change adaptation issues. Impact assessments on biodiversity should also be conducted for the Bank's projects, including for renewable energy (wind, solar, etc.) investment projects.
- The Environmental Assessment policy should be strengthened to require that the Bank and its clients assess how subsidies and regulations may prevent the Bank from achieving its sustainable development and climate mitigation objectives. It should provide clear policy direction regarding how the regulatory landscape should be assessed and how the outcomes of those assessments should be factored into the project decision-making process.

Project-affected communities

- The Bank should hold discussions with affected communities in their language.

Comments and recommendations on specific policies

- The Bank should maintain a database of displaced and resettled people and of dismantled and reconstructed infrastructure.

Partnership with borrowers

- The Bank should consider how it will engage with recipient governments during all decision-making stages and over the life of its projects.
- A renewed partnership with borrowers is very important. However, the Bank should also consider the necessity of a renewed partnership with civil society and the scientific community as well. Moreover, the scientific community (universities and research centers) should be included among the external actors to consult.
- The Bank must ensure the responsiveness, transparency, and accountability of all project stakeholders.

Harmonization and country systems

- The Bank should create a strategic process that promotes effective and efficient assessment of a country's policy development. This process would directly engage programs and projects considered for Environmental Assessment (EA). The Bank's objective would be to make a transparent country-wide decision governing policy direction, so that future implementation programs and projects are consistent with the country's overall goals, which have been systematically defined through a rational process involving all individuals willing to participate.